

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DONNA CURLING, et al.

Plaintiffs

vs.

CIVIL ACTION FILE
NO. 1:17-CV-2989-AT

BRAD RAFFENSPERGER, et al.

Defendants

VIDEOTAPED ZOOM DEPOSITION OF
SARA TINDALL GHAZAL

November 5, 2021
10:13 A.M.

Lee Ann Barnes, CCR-1852B, RPR, CRR, CRC

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2 (All appearances via Zoom)

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ALSO PRESENT:

Bryan Robinson, Videographer
Marilyn Marks, Coalition for Good Governance

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Deposition of SARA TINDALL GHAZAL
November 5, 2021

(Reporter disclosure made pursuant to Article 8.B of the Rules and Regulations of the Board of Court Reporting of the Judicial Council of Georgia.)

VIDEOGRAPHER: We are on the record. The time is 10:13 a.m. on November 5, 2021, and this is the beginning of the video deposition for Sara Ghazal.

Would counsel present please identify themselves and who they represent for the record.

MS. ELSON: Good morning. This is Hannah Elson. I'm here representing Curling plaintiffs, from Morrison & Foerster. I also have Veronica Ascarrunz and Reema Shocair with me from Morrison & Foerster as well.

MR. RUSSO: Good morning. This is Vincent Russo with the law firm Robbins Alloy Belinfante Littlefield. I have with me Carey Miller from our firm. We represent Ms. Ghazal and the State defendants in this case.

MS. ROWAN: Nancy Rowan from the Fulton
County office of the attorneys office. I

1 represent Fulton County Voter Registration and
2 Election and Richard Barron.

3 MS. MARKS: Marilyn Marks, plaintiffs'
4 representative, Coalition for Good Governance.

5 VIDEOGRAPHER: Anyone else? Okay. Then,
6 thank you, Counsel.

7 Will the court reporter please swear in
8 the witness.

9 SARA TINDALL GHAZAL, having been first duly
10 sworn, was examined and testified as follows:

11 EXAMINATION

12 BY-MS. ELSON:

13 Q. Thanks for being here today, Ms. Ghazal.

14 Am I pronouncing your name correctly?

15 A. Good enough.

16 Q. Okay. If you could just state your full
17 name and your address for the record.

18 A. Sara Tindall Ghazal. 1344 Waterford Green
19 Close, Marietta, Georgia, 30068.

20 Q. Thank you. I'm going to be asking you a
21 series of questions regarding this litigation.
22 Before we do that, I just want to confirm that you
23 understand that you're under oath today.

24 A. I do.

25 Q. And if you answer a question, I'm going to

1 assume that you understood the question.

2 Is that okay with you?

3 A. Of course.

4 Q. Is there any reason why you would be
5 unable to give full and complete testimony today?

6 A. Not to the best of my knowledge.

7 Q. And I know we're all familiar with Zoom,
8 but we should try and not talk over each other
9 because if we're both talking at the same time, the
10 court reporter can't take a clean record.

11 A. I understand.

12 Q. Do you have any -- thank you. Sorry.

13 Do you understand?

14 A. Yes.

15 Q. Do you have any chat function open on your
16 computer screen or any windows open other than the
17 Zoom?

18 A. I do not.

19 Q. Okay. And can you confirm that during the
20 course of the deposition, you will not open any
21 other windows besides the Zoom and the Exhibit
22 Share?

23 A. Yes.

24 Q. Okay. And if you need a break at any
25 point, just let me or your attorney know. I just

1 ask that you answer any questions that are pending
2 before we take a break.

3 Does that sound okay?

4 A. That's fine.

5 Q. Okay. Did you go to college?

6 A. Yes, I did.

7 Q. And where did you go?

8 A. I went to the University of the South.

9 Q. And what degree did you get?

10 A. Political science.

11 Q. Did you do any graduate work?

12 A. I have a law degree.

13 Q. And what is your current employment?

14 A. I am not currently employed.

15 Q. Were -- when was the last time you were
16 employed?

17 A. For remuneration? When I was working for
18 the Democratic Party of Georgia.

19 Q. And when were the approximate dates of
20 that?

21 A. 2018 through 2019.

22 Q. What was your position titled for the
23 Democratic Party of Georgia?

24 A. Voter protection director.

25 Q. What did you do in that job?

1 A. I worked to make sure that voters had
2 access to their ballot and could -- could cast a
3 ballot.

4 Q. Did you have any other duties in that
5 position?

6 A. I supported the -- the democratic caucus
7 when it came to legislation that -- that related to
8 elections. Yeah.

9 Q. Does the Democratic Party have a hotline
10 that it staffs for voters during elections?

11 A. Yes. That is one of the primary sources
12 of support, the direct support for voters.

13 Q. And have you ever worked that hotline?

14 A. Yes.

15 Q. And when was that?

16 A. In -- through -- throughout 2018 and 2019.

17 Q. So fair to say you dealt with elections in
18 that -- in that position?

19 A. I did.

20 Q. Have you ever been involved in any other
21 organizations that deal with elections?

22 A. I spent more than ten years working for
23 The Carter Center, and in that role, I observed
24 elections overseas.

25 Q. And when did you work for

1 The Carter Center?

2 A. Well, I started out in 1992 as an intern.
3 I spent five years. Then I returned to work in 1998
4 to 2000. And then I again -- no, I -- excuse me.
5 1998 to 2003. And then I returned again in 2015,
6 and I worked there until I left and went to work for
7 the Democratic Party in 2017 -- 2018. Sorry.
8 Losing track of time.

9 Q. Okay. Have you previously been deposed?

10 A. I have not.

11 Q. What did you do to prepare for the
12 deposition today?

13 A. I read parts of the decisions from -- the
14 Court decisions. I didn't -- I admit I did not get
15 through the entire -- the entirety of it, and I also
16 reviewed several -- several of the regulations.

17 Q. And what regulations are you referring to?

18 A. Regulations that had been passed by the
19 State Election Board both prior to my time on the
20 board and since -- since we -- since I've joined the
21 board a few months ago related to the conduct of
22 elections. I also -- I -- I met with Mr. Russo.

23 Q. And did you review any other documents
24 besides the complaint that you mentioned and the
25 regulations that you mentioned?

1 A. I reviewed an email that I had overlooked
2 initially regarding just some potential proposed
3 changes to a regulation.

4 Q. Okay. And was that the email, do you
5 know, that your counsel referenced sending to us
6 this morning?

7 A. I believe so. I believe so.

8 Q. Okay.

9 MS. ELSON: And, Mr. Russo, are you
10 planning on sending that?

11 MR. RUSSO: You -- you should have it. So
12 we sent -- Carey Miller just sent it. It -- we
13 would have it -- we need to produce it with a
14 Bates stamp. We just were unable to -- to do
15 that with our -- our relativity vendors. We
16 were having some issues being able to --
17 technical difficulties with how the -- the
18 proposed rule was being PDF'ed, but we will
19 provide that to you. We're also going to mark
20 it confidential. So if it is used today, we
21 need to make sure that it is -- it is
22 appropriately designated for purposes of -- of
23 the deposition.

24 MS. ELSON: Thank you. And I apologize.
25 I hadn't checked my inbox. So I have received

1 that, and we will ask some questions about it
2 later after we've had a chance to review it.

3 MR. RUSSO: Okay.

4 BY MS. ELSON:

5 Q. Did you, Ms. Ghazal, review any deposition
6 transcripts in advance of today?

7 A. I did not.

8 Q. And you mentioned that you had seen a
9 complaint in this case.

10 Do you know whether that's the most recent
11 complaint, titled the "Third Amended Complaint"?

12 A. I -- I did not review the complaints. I
13 reviewed the -- the Court's documents. I would have
14 to go back and look. I don't recall precisely which
15 documents I reviewed.

16 Q. Do you mean the Court opinions when you
17 say the "Court documents"?

18 A. Yes. The Court-issued opinions.

19 Q. Okay. What, to your understanding, is
20 this litigation about?

21 A. The -- as it currently stands?

22 Q. Yes.

23 A. My understanding is the -- the current
24 litigation is with regard to the legality of the
25 current voting system that is in use in the State of

1 Georgia.

2 Q. Have you discussed this case with anyone?

3 A. This case has been ongoing for several
4 years. Yes, of course.

5 Q. Who, to your recollection, have you
6 discussed that with?

7 A. How long do you have? This is a -- this
8 is a -- a thoroughly covered case for anybody who
9 has been involved in elections in Georgia. I've
10 discussed the case with my predecessor on the State
11 Election Board. I've discussed this case with
12 Ms. Marks extensively when I was at the -- at the
13 state party. I have discussed this case with the
14 counsel for -- for the Democratic Party of Georgia.
15 I've discussed this case with people I've worked
16 with on -- on various campaigns. I've discussed
17 this case with election advocates, but all, you
18 know, at -- at a fairly high level because I've not
19 been a party to the case at all.

20 Q. You mentioned discussing this with your
21 predecessor on the State Election Board.

22 What was your discussion with your
23 predecessor?

24 A. Generally it was whenever something else
25 would -- would come out. Because while I was not

1 employed formally from 2019 to 2020, I was -- I was
2 a candidate for office. So it was important to
3 understand the impact of any opinions coming out of
4 the -- the Court with regard to how elections would
5 and could proceed in Georgia. So I needed to
6 understand the practical impact on voters.

7 Q. Have you discussed this case with other
8 State Election Board members?

9 A. I have not.

10 Q. And just to confirm, that includes -- so
11 you have not discussed this case at any SEB
12 meetings, State Election Board meetings?

13 A. If I recall correctly, Ryan Germany has
14 given some brief updates that I don't recall the
15 precise details that he gave. I do recall that
16 there was nothing substantive discussed.

17 (Phone ringing.)

18 Apologies. My daughter.

19 MR. RUSSO: And I would simply,
20 Ms. Ghazal, remind you not to disclose any
21 attorney-client privileged communications.

22 BY MS. ELSON:

23 Q. You are currently serving as a member on
24 the State Election Board; right?

25 A. That is correct.

1 Q. And when did you join?

2 A. June 1, 2021. That was technically the --
3 the 1st of June. However, I don't recall the date I
4 was sworn in by the governor. It was somewhat after
5 that.

6 Q. Understood.

7 How were you appointed to that position?

8 A. After the resignation of David Worley, I
9 was appointed by the Democratic Party of Georgia,
10 the executive committee.

11 Q. And is David Worley the individual you
12 mentioned having spoken about this litigation with?

13 A. That's correct.

14 Q. Why did you join the State Election Board?

15 A. Because I believe strongly in elections
16 that are accessible to voters, and I thought this
17 was an opportunity for me to contribute to that.

18 Q. Can you say any more about what you mean
19 by elections being accessible?

20 A. So I was a strong -- strongly outspoken
21 person -- member of the public when it came to some
22 of the -- the restrictions in SB202 which is also
23 subject to significant litigation right now, so.

24 And I -- the role of the State Election Board is to
25 write regulations within the confines of the law,

1 and those regulations need to be very clear so that
2 counties can administer elections effectively. And
3 so that's -- that's where I see that accessible
4 elections can be -- can be affected.

5 Q. You mentioned that it's the SEB's
6 responsibility to write rules within the confines of
7 the law.

8 What purpose do those rules have besides
9 accessibility?

10 A. Providing clarity for the counties on how
11 to administer elections in a way that -- that are
12 adherent to the law. Laws are never written in a
13 way that are easily administerable, especially for
14 non-lawyers. So we have to translate the law into
15 something that's easier to understand.

16 Q. Has the State Election Board promulgated
17 any rules or regulations since you've joined?

18 A. Yes.

19 Q. For what purpose?

20 A. For implementing the changes under SB202.
21 They -- I don't recall all of them in great detail,
22 but they're -- they're all published on the
23 State Election Board website.

24 Q. And what are you working on now?

25 A. I have not seen any additional drafts

1 beyond what has passed.

2 Q. Okay. Do you yourself have any particular
3 responsibilities in the State Election Board?

4 A. I'm a member. I also work with an
5 informal rules working group.

6 Q. What does that working group do?

7 A. That working group reviews draft rules,
8 draft regulations before they are put before the
9 board formally and gives input on them.

10 Q. Does that working group receive any
11 information when they're considering a rule in order
12 to help inform their decision on the proposed rule?

13 A. I'm not sure what you mean.

14 Q. I'll try and rephrase.

15 When the rules working group is reviewing
16 a draft rule, do they receive any briefings or other
17 information to assist them in their review of the
18 rule?

19 A. In the two meetings where I have been,
20 that I've attended, we are sent the drafts --
21 generally -- well, the first one we were sent the
22 drafts before the meeting. The second meeting we
23 received the drafts when we were in the room, and we
24 discussed it and proposed revisions in the room. So
25 I would not consider any of that a formal briefing.

1 Q. Are you familiar with the ballot marking
2 devices that Georgia currently uses in its
3 elections?

4 A. Yes.

5 Q. Is it okay with you if I refer to those as
6 BMDs during today's deposition?

7 A. Yes.

8 Q. Do you understand why Georgia switched
9 from the previous DRE machines to BMDs?

10 A. I believe I do, yes.

11 Q. And what is your understanding of why they
12 made that switch?

13 A. My understanding is they were in a
14 position to need to change the -- the voting system
15 because the -- the previously used voting system was
16 quite old. It was out of date. It was out of
17 warranty. So they made a policy decision to move
18 from the DRE, the direct reporting electronic
19 system, to a ballot marking device after having
20 conducted statewide meetings with the
21 SAFE Commission and significant debate within the
22 state legislature.

23 Q. Did the State Election Board play a role
24 in choosing Georgia's current election system?

25 A. To the best of my knowledge, no, but I was

1 not a member at the time.

2 Q. And to the best of your knowledge, has the
3 State Election Board ever interacted with the
4 SAFE Commission?

5 A. Not to my knowledge.

6 Q. Do you have any concerns with Georgia's
7 current election system?

8 A. That's a fairly broad question. I'm not
9 quite sure what -- what concerns you would mean.

10 Q. It is a broad question.

11 Do you have any concerns with the ballot
12 marking devices that Georgia currently uses?

13 A. I'm concerned at their cost. I'm
14 concerned about their complexity.

15 I apologize. I have a cat trying to get
16 in.

17 Q. That's fine. My door is closed to my cat
18 as well, and I am waiting for the meowing to begin.

19 Do you know whether any other states rely
20 on BMDs for elections?

21 A. There are dozens of states that deploy
22 BMDs within their elections. I believe South
23 Carolina is the only other state that uses it as its
24 primary form of in-person voting.

25 Q. You mentioned that one of your concerns

1 with BMDs is complexity.

2 Can you explain those concerns?

3 A. The more moving parts there are, the --
4 the more work it places on County election
5 administrators and poll workers.

6 Q. What moving parts does a BMD entail?

7 A. It's a machine that has to go in some sort
8 of a holder. It has to be charged up, plugged in.
9 I mean, this is -- it's a -- it's another piece of
10 equipment that has to be used.

11 Q. Are BMDs the only piece of election
12 equipment that is used currently?

13 A. No.

14 Q. What other pieces of election equipments
15 are used?

16 A. Poll pads are used for voter check-in for
17 election day. Very frequently during early voting,
18 laptops are used instead. Some folks -- some
19 counties use an EZ-VOTE overlay which I believe also
20 has a -- additional equipment. There is the --
21 the -- the ballot marking device -- ballot marking
22 device which is connected to a printer and then
23 there is a scanner. But that's all for in-person
24 voting.

25 Q. Apart from the concern you mentioned

1 regarding the sheer amount of equipment that's
2 needed, do you have any concerns about the
3 functioning of the BMDs?

4 A. None in particular.

5 Q. Okay. Is this election equipment
6 something that you've discussed with the
7 State Election Board?

8 A. No, I don't believe so, not as a system.

9 Q. And to circle back quickly, you mentioned
10 that some counties use laptops instead of poll pads.

11 Do -- does Georgia have regulations in
12 place surrounding the use of laptops in elections?

13 A. Well, first, to clarify, that is only
14 during early vote. That is not for election day
15 precinct-based voting. That's very different.

16 And I'd have to admit, I am not as
17 familiar with the regulations related to early
18 voting. I'm very -- very fresh on the -- on the
19 board, and I have not reviewed all of those.

20 Q. Understood.

21 Does the State Election Board discuss best
22 practices in terms of elections in general?

23 A. In terms of specific rules, within the
24 rules working group we have had these discussions,
25 but that is -- those are not board meetings because

1 there is -- we don't have a quorum in there and
2 those are not official meetings.

3 Q. Okay. Who else is on the rules working
4 group besides you?

5 A. My cohort Matt Mashburn is on there.
6 There will always be at least one county election
7 supervisor, not superintendent, a -- a county
8 supervisor, and staff from the Secretary of State's
9 office.

10 Q. Do you know the name of the election
11 supervisor who's currently on the rules working
12 group?

13 A. Nancy Boren.

14 Q. Can you spell her last name, by any
15 chance?

16 A. B-o-r-e-n.

17 Q. Thank you. And do you know who at the
18 Secretary of State's office is on the working group
19 currently?

20 A. I think it's a fairly informal group. In
21 the last meeting, both the general counsel,
22 Ryan Germany, and Sara. And I'm terribly
23 embarrassed, I don't recall Sara's last name right
24 now, but she's the deputy general counsel. They
25 were present along with Blake Evans, the -- the

1 election director.

2 Q. Thank you. All right. We talked a bit
3 about your concerns with the BMD system.

4 As the member of the State Election Board,
5 do you care about the security of elections in
6 Georgia?

7 A. Of course.

8 Q. Do you find it important as a member of
9 the State Election Board to know that the election
10 system in use is not hackable by outside actors?

11 A. I find that a slightly ridiculous question
12 because any system, there -- there is a speculative
13 possibility. It -- it's not a binary issue.

14 Q. Can you say more about what you mean?

15 A. Certainly. I could be victim to a
16 meteorite crashing through my -- my roof right now
17 because I know that that's possible, but it doesn't
18 worry me, it doesn't concern me because I think it's
19 highly unlikely to happen.

20 Q. If there were proof found that an election
21 system could be hacked, would you support the use of
22 that election system?

23 A. I would challenge -- sorry.

24 MR. RUSSO: I'm just going to object to
25 the form.

1 THE WITNESS: I would challenge anyone to
2 find any system that is completely unhackable.
3 Again, it's not binary. It is -- the question
4 is is how likely. What is the likelihood?
5 What is the possibility -- not the possibility.
6 Let me rephrase that.

7 The question is is not whether it could
8 happen or -- but rather how likely it is to
9 happen given the -- the -- everything else
10 that's in place.

11 BY MS. ELSON:

12 Q. So to rephrase my question, I'm not asking
13 right now about whether you believe that all
14 election systems are able to be hacked.

15 I'm just asking would you support the use
16 of election equipment that could be hacked by a
17 voter in the voting booth?

18 MR. RUSSO: Objection to form.

19 THE WITNESS: Again, I -- I -- I don't
20 find that a reasonable or rational question.

21 BY MS. ELSON:

22 Q. Would you support the use of a system
23 about which it was proven that there was a high
24 probability of hacking?

25 MR. RUSSO: Objection to form.

1 THE WITNESS: A high probability of
2 hacking? I've certainly -- that's not
3 something I have ever seen.

4 BY MS. ELSON:

5 Q. If you were to see that, would that be a
6 system that you support?

7 MR. RUSSO: Same objection.

8 THE WITNESS: I -- I -- I just don't even
9 find that a -- a rational question. I don't --
10 I don't believe that a system that has a high
11 probability of hacking would make it through
12 the EAC certification system.

13 BY MS. ELSON:

14 Q. Can you describe the EAC certification
15 system you mentioned?

16 A. My understanding of it is that there are
17 several -- several organizations that actually
18 specialize in computer security, election security,
19 and they are mandated to review every single system
20 that is proffered for use. They -- they do software
21 testing and hardware testing to determine whether or
22 not the -- the system is adequately secure. And
23 they will certify that system if they believe --
24 if -- if these laboratories believe that they are
25 adequately secure.

1 Q. Do you know the names of any of those
2 organizations?

3 A. One of them is Pro V & V, I believe. I do
4 not recall the name of the -- I know there's at
5 least one other organization that does this.

6 Q. Does the State Election Board ever receive
7 information about the EAC certification of Georgia's
8 election machines?

9 A. I was not on the State Election Board the
10 last time the system underwent that process.

11 Q. Do you know how the ballot marking devices
12 work?

13 A. I know from the perspective of a user how
14 they work.

15 Q. Can you describe that perspective to me?

16 MR. RUSSO: Objection. Also, I mean,
17 she's testifying as a State Election Board
18 member, not in her personal capacity.

19 THE WITNESS: As a voter, you receive a --
20 an encoded card that has your ballot style
21 imprinted on it. You place it into the ballot
22 marking device. It pulls up the -- the ballot
23 style that has been assigned to each voter, and
24 you use the touchscreen to choose your -- your
25 selection. And then from there, it goes to a

1 printer and your -- your ballot selections are
2 printed.

3 BY MS. ELSON:

4 Q. Do you know how the information gets put
5 on the voter card that you mentioned?

6 MR. RUSSO: Objection to the form.

7 And in terms -- what do you mean by how it
8 gets on -- onto the card?

9 BY MS. ELSON:

10 Q. The question is trying to find out how the
11 ballot style selection for that particular voter is
12 communicated to the -- the -- encoded -- how it's
13 encoded to the card.

14 A. Well, again, I am -- I'm not a computer
15 scientist, but in general, it should be encoded by
16 the poll pad if -- if they're properly functioning.
17 Every -- every voter file on -- accessible on the
18 poll pad has the voter's precinct combination
19 programmed in there and that will do that. If --
20 when the poll pads are not working, there is a way
21 to hard code a -- one of -- one of the -- the voter
22 access cards.

23 Q. Do you know how the voter access codes are
24 encoded when the poll pads aren't working?

25 MR. RUSSO: Objection. She -- she's not a

1 testifying expert. She said that already. And
2 I'd ask, if you know, you can answer. But
3 she's not here as an expert.

4 THE WITNESS: And I -- I don't know
5 exactly.

6 BY MS. ELSON:

7 Q. Okay.

8 A. I'm not trained as a poll worker.

9 Q. Do you know what company manufactures the
10 BMDs?

11 A. Dominion.

12 Q. Has the State Election Board ever
13 interacted with Dominion, to your understanding?

14 A. Prior to my joining the
15 State Election Board -- and this is -- this is
16 available in the transcripts of -- of a previous
17 meeting. And my understanding is that a
18 representative of Dominion election systems did come
19 to -- and -- and -- and provide a presentation to
20 the State Election Board. But, again, that was
21 prior to my membership.

22 Q. Understood.

23 Have you, besides during your use as a
24 voter, ever inspected a BMD?

25 A. I have not.

1 Q. Do you know how the BMDs are programmed?

2 A. Not specifically, no.

3 Q. Does the State Election Board ever discuss
4 how the BMDs are programmed?

5 A. Beyond whatever is contained in the rules,
6 no.

7 Q. And what is contained in the rules?

8 A. The rules discuss how -- when ballot
9 definitions are created, when they -- they -- the
10 content of the ballots need to be proofread, and
11 when the programming has to be done in terms of
12 the -- the timeline before -- for an election.

13 Q. And in terms of ballots needing to be
14 proofread, do you mean before they are issued to the
15 voter or after?

16 MR. RUSSO: And -- and object to form.

17 Are you referring to what is in the -- the
18 rules or something else? Because if there's a
19 rule, then you can just show her the rule and
20 she can talk about the rule.

21 BY MS. ELSON:

22 Q. You can answer.

23 A. I was referring to the -- the ballots as
24 they were being -- as they are built and programmed
25 prior to them being. And so that would be before

1 they are -- before they are programmed in.

2 Q. Do you know who's responsible for updating
3 the BMD machines?

4 A. I do not.

5 Q. And to your knowledge, has the
6 State Election Board promulgated any rules about how
7 the machines should be updated?

8 MR. RUSSO: Objection to form.

9 It's unclear which -- what you mean by
10 updating a BMD machine.

11 MS. ELSON: I'm referring to software
12 updates.

13 MR. RUSSO: Okay.

14 THE WITNESS: I am not aware.

15 BY MS. ELSON:

16 Q. Okay. You mentioned voter-encoded cards
17 being inserted into the BMD machines.

18 Are you aware that other removable media
19 can be inserted into those machines?

20 MR. RUSSO: Objection. Form.

21 THE WITNESS: I am not aware.

22 BY MS. ELSON:

23 Q. So removable media isn't something you've
24 discussed with the State Election Board?

25 A. That's a very broad discussion. Removable

1 media is used in various aspects. I -- I --
2 specifically with the BMDs? I literally, I -- I
3 don't know which parts have removable media and
4 which ones do not.

5 Q. Okay. You mentioned earlier that when
6 voters vote on a BMD, they're provided with a paper
7 printout; right?

8 A. Yes.

9 Q. And that printout shows both a QR code and
10 text that can be read by humans; correct?

11 A. Correct.

12 Q. When votes are tabulated, are they
13 tabulated using the QR code or the human readable
14 text?

15 A. My understanding is the -- the scanners
16 currently read the QR code.

17 Q. Is it your understanding that they in the
18 past ever read something different -- let me
19 rephrase.

20 Since the adoption of BMDs, is it your
21 understanding that the scanners have always
22 tabulated the QR codes?

23 A. That is my understanding, yes.

24 Q. Has the State Election Board ever
25 discussed rules concerning which part of the vote --

1 let me stop there.

2 Has the State Election Board ever
3 discussed rules that have to do with part of the
4 voter's printout is tabulated?

5 MR. RUSSO: Objection. Form.

6 THE WITNESS: Not since I have been on the
7 State Election Board. There was a
8 State Election Board meeting in 2019 that had
9 some discussion, but I do not recall the -- the
10 contours of that discussion or the rule that
11 was being passed at the time.

12 BY MS. ELSON:

13 Q. Okay. Have you heard any complaints from
14 voters that they're unable to verify their votes
15 using the current election system in Georgia?

16 A. I have heard voters say that they can't
17 read a QR code. I have never heard a voter complain
18 that they're unable to read the text.

19 Q. And just to confirm, the part of that
20 paper that's tabulated is the QR code?

21 A. Correct.

22 Q. Did the complaints you heard about QR
23 codes concern you given that the QR codes are what
24 are tabulated?

25 A. No.

1 Q. Why not?

2 A. Because I know that the text is available
3 in readable form, and I understand the way audits
4 work.

5 Q. Can you say more about why audits are
6 relevant here?

7 A. An audit is -- is used to confirm that the
8 correct winner of an election contest was identified
9 by the tabulation process.

10 Q. And when are audits required under Georgia
11 elections?

12 A. Audits are required for at least one
13 randomly chosen contest per -- for every general
14 election, I believe.

15 Q. Can you describe how audits work?

16 A. A statistically significant number of
17 ran- -- ballots are randomly chosen. The number of
18 ballots are based on the -- the contest itself and
19 the margin win in that contest. And they are then
20 hand counted to determine whether or not the outcome
21 was correct -- was correctly determined.

22 Q. And by hand counted, which portion of the
23 voter's printout is counted?

24 A. The human readable text.

25 Q. Does an audit ever confirm that on a

1 particular voter's printout, the human readable text
2 is reflected in the QR code?

3 MR. RUSSO: Objection to form.

4 THE WITNESS: An audit should be able to
5 determine whether or not the QR code was
6 correctly counted the -- the voter's choice.
7 If there is a discrepancy in the outcome of an
8 audit versus the outcome of the tabulation,
9 that would suggest that there was a -- a
10 difference.

11 BY MS. ELSON:

12 Q. To your understanding of audits, the --
13 within a single vote -- let me rephrase.

14 So you stated that audits select a
15 statistically significant sample of ballots to
16 review.

17 Do those audits ever compare within a
18 single ballot that the human readable text matches
19 what is reflected in the QR code?

20 MR. RUSSO: Objection to form.

21 THE WITNESS: Not to the best of my
22 knowledge.

23 BY MS. ELSON:

24 Q. So do audits in Georgia verify whether any
25 one individual's vote was counted accurately?

1 MR. RUSSO: Objection to form.

2 THE WITNESS: Audits verify whether the
3 right person won.

4 BY MS. ELSON:

5 Q. So the answer to the question of whether
6 they verify that any specific vote was counted
7 correctly would be no? Am I misunderstanding?

8 A. No. That's -- that -- that is my
9 understanding as well.

10 Q. Okay. If a QR code was changed from what
11 the voter selected, would an audit be able to pick
12 up on that change?

13 A. A single QR code and a single vote, that
14 is unlikely.

15 Q. Are you familiar with any studies that
16 Georgia has commissioned regarding voter
17 verification?

18 A. Yes, I am.

19 Q. And what studies are you familiar with?

20 A. In this past election, there was a
21 study -- I do not recall who undertook the study,
22 but there -- to review how many voters verified --
23 appeared to have verified their ballot.

24 Q. And by verifying their ballot, what do you
25 understand that to mean?

1 A. To ensure that the human readable words
2 reflected their selections.

3 Q. There was a study titled "2021 Georgia
4 Voter Verification Study."

5 Are you aware that that study found
6 over -- that over half of voters reviewed their
7 ballot less than a second or not at all?

8 MR. RUSSO: Objection. Form.

9 THE WITNESS: I do not know the exact
10 findings of that, but I do know that it was --
11 that -- that many voters had a -- a brief
12 glance.

13 BY MS. ELSON:

14 Q. What did you think of that finding?

15 A. The finding didn't -- frankly, did not
16 concern me.

17 Q. And why is that?

18 A. Because it doesn't take long to make sure
19 that your choices were reflected, and the reason it
20 doesn't take long is because it doesn't contain only
21 the -- the name of the -- the candidate, it also
22 contains a political party which acts as a proxy for
23 the vast majority of voters. It takes very little
24 time to glance down and see what's on that ballot.

25 Q. And to your understanding, is every race

1 that the voter made a selection in available for
2 review in that human readable portion?

3 A. Yes.

4 Q. All right. I'm going to introduce a
5 document and --

6 A. I have a second screen set up for that,
7 so.

8 Q. Okay.

9 A. I don't want you to think I'm looking at a
10 chat.

11 Q. Thanks for letting me know.

12 While I'm setting this up, can you tell me
13 how you came to be familiar with the verification
14 study?

15 A. I honestly don't recall exactly.

16 (Plaintiffs' Exhibit 1 was marked for
17 identification.)

18 BY MS. ELSON::

19 Q. Okay. All right. Will you refresh your
20 exhibit screen and let me know if there's an exhibit
21 available to you there?

22 A. Yes.

23 Q. Okay. Do you recognize this tweet?

24 A. I do.

25 Q. Did you tweet this?

1 A. Yes, I did.

2 Q. And can you read that tweet for us?

3 A. "I am not comfortable with anything less
4 than a full hand audit of any race that goes to
5 recount (meaning the margin is less than on -- half
6 of one percent) but I'm not the expert here."

7 Q. Can you describe the difference between an
8 audit and a recount in Georgia?

9 A. A recount is going to be -- is a
10 retabulation of the votes, whereas an audit is an
11 activity that we have been discussing which will
12 confirm that the -- the tabulation accurately
13 identified the -- the winner.

14 Q. You described a recount as being a
15 retabulation.

16 What exactly does the tabulating in a
17 recount?

18 A. That -- those -- the scanner conducts a
19 tabulation.

20 Q. When are recounts conducted in Georgia?

21 A. As it states in the tweet, when the margin
22 is less than -- less than 1/2 percent or at the
23 discretion of the Secretary of State.

24 Q. Why do you -- let me rephrase.

25 Why did you tweet that you aren't

1 comfortable with anything less than a full hand
2 recount -- excuse me, anything less than a full hand
3 audit of any race that goes to recount?

4 MR. RUSSO: Objection. This is prior to
5 her time on the State Election Board.

6 THE WITNESS: If anything, you know, I
7 feel just as strongly about this now because
8 this is about public confidence and the outcome
9 of a tabulation. And the point of an audit is
10 to enhance confidence and that the outcome was
11 correctly identified and that's what audits do.

12 BY MS. ELSON:

13 Q. And just so I understand.

14 By a full hand audit, you mean humans
15 counting the human readable portion of the printed
16 paper?

17 A. Correct.

18 MR. RUSSO: Objection to form.

19 BY MS. ELSON:

20 Q. And who are the experts you refer to in
21 this tweet?

22 A. There are experts in election
23 administration who -- who have more experience in
24 this than I do, and obviously I was not a member of
25 the State Election Board either at the time.

1 Q. To your understanding, has the
2 State Election Board ever considered a rule that
3 would require audits prerecount?

4 A. To the best of my understanding, they have
5 not considered that.

6 Q. Would you prefer that such a rule be
7 adopted?

8 A. In my personal opinion, yes.

9 Q. Are there any other reasons that you
10 prefer that besides the increase in confidence it
11 offers?

12 MR. RUSSO: Objection to form.

13 Are you asking as an SEB member? Or I
14 think she testified in her personal capacity
15 she said she had a preference. I just want to
16 make sure it's clear what -- what the scope of
17 the question is here.

18 BY MS. ELSON:

19 Q. As a State Election Board -- let me check
20 the real transcript.

21 MS. ELSON: Could you read the question
22 back? I apologize.

23 COURT REPORTER: One moment, please.

24 (Whereupon, the record was read by the
25 reporter as follows:

1 Question, "Are there any other
2 reasons that you prefer that besides the
3 increase in confidence it offers?")

4 MS. ELSON: Thank you. I'll rephrase.

5 BY MS. ELSON:

6 Q. As a State Election Board member, are
7 there any other reasons you prefer a rule requiring
8 prerecount audits besides the reason you gave
9 previously?

10 MR. RUSSO: Objection to form.

11 She didn't -- she didn't give a reason
12 previously why she had that opinion in her
13 capacity as a State Election Board member. She
14 said, "In my personal opinion, yes."

15 BY MS. ELSON:

16 Q. Does your preference on this issue differ
17 depending on whether you are a State Election Board
18 member or not?

19 A. No, it does not.

20 Q. Do you have any other reasons besides the
21 reason you gave for improving confidence of the
22 public in preferring a rule that requires prerecount
23 audits?

24 A. Audits confirm the outcome. Anything that
25 can confirm an outcome I think is a positive step.

1 Q. Do you believe that audits as they're
2 conducted currently in Georgia confirm an outcome?

3 A. Yes, I do.

4 Q. What would the difference be between a
5 full hand audit as you prefer versus the way audits
6 are currently done in Georgia?

7 A. There is no difference. As I was writing
8 this, it was probably in the middle of a
9 State Election Board meeting, would be my guess, and
10 I intended to refer to the risk-limiting audits
11 which are hand-conducted audits.

12 Q. And just to confirm, those risk-limiting
13 audits count only a portion of the total votes cast?

14 A. That is correct.

15 Q. What would happen if the results of an
16 audit indicated a different outcome than the outcome
17 the machines tabulated?

18 MR. RUSSO: Objection to form. Calls for
19 a legal conclusion.

20 THE WITNESS: My understanding is when
21 the -- when the risk limit has been met, the
22 sufficient number of ballots are pulled and it
23 identifies a different outcome, then you pull
24 more ballots, you count more ballots.

25

1 BY MS. ELSON:

2 Q. And if those additional ballots also
3 indicate a different outcome?

4 A. If -- eventually, within the form of a
5 risk-limiting audit, you will reach a full recount,
6 a full hand recount. And at that point, if there is
7 a -- a different outcome that is identified, then I
8 would expect to see that in a court.

9 Q. And so it's your understanding that in
10 such a case, the election outcome may be declared
11 invalid by a Court?

12 A. That's what I would expect to see, yes.

13 Q. Okay. Would you be concerned if you
14 weren't allowed to vote in an election for some
15 reason?

16 A. Yes.

17 Q. And why is that?

18 A. Because I am a duly registered voter.

19 Q. Would you be concerned if you were forced
20 to vote by a mail-in ballot?

21 A. I would be concerned if I were forced to
22 vote by any method that I did not choose.

23 Q. And why is that?

24 A. Because part of our system in Georgia is
25 that there are three different -- two primary

1 methods but three medium through which you can --
2 you can cast a ballot, and I want as a voter to have
3 that choice myself.

4 Q. If you found out after an election that
5 your vote had not been counted, would that concern
6 you?

7 MR. RUSSO: Object to form.

8 THE WITNESS: Are you asking me in my --
9 as a State Election Board member or just simply
10 as a voter in Georgia?

11 BY MS. ELSON:

12 Q. I guess that depends on whether your
13 answers would be different.

14 A. I -- I don't think they would be. I think
15 any -- any -- I would be concerned for myself and --
16 and upset if I found out that my vote did not count.
17 I would be concerned about the system as a
18 State Election Board member why anybody's vote did
19 not count.

20 Q. Okay. Would you use BMDs that tabulate
21 the human readable portion instead of the QR codes?

22 A. BMDs -- BMDs don't tabulate.

23 Q. You're right.

24 Would you use scanners that tabulate the
25 human readable portion rather than QR codes?

1 A. Certainly. But I also have used scan- --
2 I just used a scanner that tabulated my QR code on
3 Tuesday, so.

4 Q. So you have voted on a BMD before?

5 A. Yes, I have.

6 Q. Okay. Do you think that Georgia's
7 previous election system consisting of DREs were as
8 reliable as the BMDs?

9 A. I have no reason to believe that an
10 incorrect candidate was declared winner under the
11 previous DRE system. I do believe that having a
12 paper ballot that a voter will have in their hand
13 and verify is -- creates higher level of confidence
14 and a higher level of verifiability.

15 Q. Would you prefer a system where a voter
16 was able to verify that the human readable text was
17 reflected in the QR code on their vote?

18 MR. RUSSO: I'm going to object to the
19 form.

20 Thanks for holding off, Sara.

21 THE WITNESS: Could you repeat the
22 question?

23 BY MS. ELSON:

24 Q. Sure. Would you prefer a -- that Georgia
25 use a system that allows a voter to confirm that the

1 human readable text matches what is reflected in the
2 electronic QR code?

3 A. I believe that the audit is designed to do
4 just that.

5 Q. And you're referring to the audit where
6 the human readable portion of the ballots are
7 tabulated?

8 A. That's correct.

9 Q. Would you vote using a hand-marked paper
10 ballot?

11 A. I have on many occasions.

12 Q. And hand-marked paper ballots -- let me
13 rephrase.

14 Can hand-marked paper ballots be altered
15 by malware?

16 A. The ballot itself cannot be. The
17 electronic scan and the electronic tabulation of it
18 can be, certainly.

19 Q. Do you believe that hand-marked paper
20 ballots are more secure than a BMD system?

21 A. Again, security is not binary, so I'm not
22 quite sure what you mean by more secure.

23 Q. Do you believe that human -- that
24 hand-marked paper ballots offer fewer opportunities
25 for insecurity than ballot marking devices do?

1 A. There is one less opportunity, perhaps,
2 for outside, but there's also greater opportunity
3 for voter error with them. So in terms of whether
4 or not they will -- a -- a hand-marked paper ballot
5 will accurately reflect a voter's choice, I think
6 that's an open question.

7 Q. Why is there greater opportunity for error
8 with hand-marked paper ballots?

9 A. People make mistakes. It -- there -- it
10 was evidenced quite broadly in 2020, in the
11 November 2020 election, when it -- when we had
12 multiple candidates for one office. There were
13 significant numbers of -- of ballots -- of votes
14 that were thrown out because of human error, not
15 understanding how that worked.

16 Q. Can voters make mistakes when voting on
17 BMDs?

18 A. It's far rarer. They're far less common.

19 Q. And why is that?

20 A. BMDs don't allow overvotes.

21 Q. Can you describe what an overvote is?

22 A. An overvote is when a -- when a voter
23 chooses multiple candidates for a single office and,
24 therefore, those votes get thrown out.

25 Q. But voter error is possible with BMDs?

1 A. Voter error in -- with a BMD would entail
2 choosing the wrong candidate which can happen --
3 which can happen on a BMD or a hand-marked paper
4 ballot.

5 MS. ELSON: Okay. So we've been going for
6 about an hour. Does anyone need a break?

7 THE WITNESS: I don't mind plowing through
8 for now.

9 MR. RUSSO: Okay. I defer to Sara.
10 I'm -- I'm happy to keep going.

11 MS. ELSON: Okay.

12 BY MS. ELSON:

13 Q. Are you aware of any unauthorized access
14 to any component to Georgia's election system?

15 MR. RUSSO: Objection -- objection form.

16 THE WITNESS: Are you -- what -- what time
17 frame are you speaking of? Within the past
18 year? Within the past five years?

19 BY MS. ELSON:

20 Q. Within the past five years?

21 A. Within the past five years. I am aware
22 that when Kennesaw State University maintained most
23 of the voter files, there was an unauthorized access
24 by an individual who reported that the systems were
25 accessible.

1 Q. Do you know whether the
2 State Election Board investigated that report?

3 A. At the time I was working at the Carter
4 center, so I did not follow the State Election Board
5 proceedings closely. So I simply don't know what
6 the State Election Board did at the time.

7 Q. And is -- are you aware of Logan Lamb?

8 A. Yes.

9 Q. And who is he?

10 A. He is an -- the individual who accessed
11 the systems when they were housed at Kennesaw State
12 University.

13 Q. And what did he discover regarding that
14 system?

15 A. That -- I don't know precisely aside from
16 the fact that it was accessible from -- by an
17 outside individual who did -- who should not have
18 had access to the system.

19 Q. Did those discoveries concern you?

20 A. Sure. Yes.

21 Q. What was concerning about them?

22 A. The lack of security. I -- I -- I don't
23 know the extent to the -- to whatever happened.

24 Q. To your understanding, did the Office of
25 the Secretary of State take any actions in response

1 to Mr. Lamb's discoveries?

2 A. Well, Kennesaw State University is no
3 longer being used to maintain any of the election
4 systems. They brought it all in-house.

5 Q. When Georgia's past election machines, the
6 DREs, were in place, was election security ever
7 discussed at the State Election Board meetings, to
8 your understanding?

9 MR. RUSSO: Object to form. She wasn't a
10 member of the State Election Board.

11 THE WITNESS: As -- as Mr. Russo stated, I
12 was not a member of the State Election Board,
13 so I don't know what all was discussed.

14 BY MS. ELSON:

15 Q. After the BMDs were implemented, how often
16 did the State Election Board discuss election
17 security?

18 MR. RUSSO: Objection to form.

19 THE WITNESS: Again, before I was a member
20 of the State Election Board, I know that it was
21 discussed following the -- the 2020 elections,
22 and the false narratives that arose around it.

23 MS. ELSON: All right. If it's okay with
24 you, I would like to request a ten-minute break
25 to review that email that you sent.

1 MR. RUSSO: Yeah.

2 VIDEOGRAPHER: Let's go off the record at
3 11:20.

4 (Off the record.)

5 VIDEOGRAPHER: We're back on the record at
6 11:33.

7 BY MS. ELSON:

8 Q. Okay. Ms. Ghazal, in the process of
9 preparing -- or in the process of this litigation,
10 did you collect any documents?

11 A. Personally?

12 Q. To produce in the -- in this case.

13 A. Sure. I -- I reviewed my email inbox
14 because I have only been on the board for a few
15 months, so I can review line by line.

16 Q. Okay. Did you look anywhere else besides
17 your email?

18 A. I did not.

19 Q. All right. Are you aware that an expert
20 in case named Alex Halderman has examined Georgia's
21 voting equipment and issued a report about it?

22 A. Yes.

23 Q. And what do you know about that report?

24 A. I know the report has been sealed and
25 shared only with the attorneys.

1 Q. Have you read about Dr. Halderman's public
2 reply or his declarations?

3 A. I have seen news reports related to it.

4 Q. And what do those news reports discuss?

5 A. That -- one in particular suggested that
6 he was -- that -- that Dr. Halderman was seeking to
7 share the results of his -- his studies with other
8 parties.

9 Q. Are you aware that he found that Georgia's
10 election system can be hacked in numerous ways?

11 MR. RUSSO: Objection to form.

12 THE WITNESS: That is my understanding
13 based on the reporting, yes.

14 BY MS. ELSON:

15 Q. And are you aware that at least one -- he
16 found that at least one of those hacks can be
17 implemented by a voter in the voting booth in just a
18 couple of minutes?

19 MR. RUSSO: Objection to form.

20 THE WITNESS: I haven't read the report,
21 so I am not aware of that level of detail.

22 BY MS. ELSON:

23 Q. Does hearing that concern you?

24 A. I would have to have much more context.

25 Q. Has the State Election Board taken any

1 action to retrieve that context?

2 MR. RUSSO: Objection to form.

3 THE WITNESS: To the best of my knowledge,

4 no.

5 BY MS. ELSON:

6 Q. And why have -- why haven't they?

7 MR. RUSSO: Objection to form.

8 It's unclear what we're talking about

9 here. Why haven't they done -- done what and

10 what is the context?

11 BY MS. ELSON:

12 Q. Do you understand the question,

13 Ms. Ghazal, or do you want me to repeat or rephrase?

14 A. Could you rephrase, please?

15 Q. Sure.

16 Why hasn't the State Election Board taken

17 any action to learn information about the

18 vulnerabilities that Dr. Halderman found in his

19 report?

20 MR. RUSSO: Object to form.

21 THE WITNESS: I can't speculate what other

22 members are thinking or doing. We -- we are

23 four individuals with one unfilled position.

24 So I don't -- I don't know what they're

25 thinking.

1 BY MS. ELSON:

2 Q. Would you want to know more information
3 about what Dr. Halderman found?

4 A. I am not a technical expert. I don't know
5 how much I would understand, frankly, of what
6 Dr. Halderman found. I believe a high-level
7 understanding would be helpful.

8 Q. And are you aware that we've asked the
9 Secretary of State's offices attorneys to provide a
10 proposal to allow the Secretary of State and the
11 State Election Board access to some or all of the
12 sealed report?

13 MR. RUSSO: Objection to form.

14 THE WITNESS: I was aware that there was
15 some discussion. I didn't -- I'm not aware of
16 the -- the extent of what is -- what has been
17 discussed.

18 BY MS. ELSON:

19 Q. To follow-up on something you mentioned,
20 would you like to receive high-level information
21 about what Dr. Halderman found in terms of
22 vulnerabilities of the Georgia election system?

23 A. Yes.

24 Q. Are you aware that the Office of the
25 Secretary of State have hired their own experts in

1 this litigation?

2 A. That would be my assumption for any
3 litigation.

4 Q. And are you aware that the Secretary of
5 State's election security expert testified under
6 oath that he doesn't dispute Dr. Halderman's
7 findings about the Georgia election equipment?

8 MR. RUSSO: Objection to form. It lacks
9 foundation.

10 THE WITNESS: I have no direct knowledge
11 of what the Secretary of State's expert has
12 testified to.

13 BY MS. ELSON:

14 Q. What has the Secretary of State's
15 office -- let me start over.

16 What has the State Election Board done to
17 remedy the vulnerabilities discovered by
18 Dr. Halderman in Georgia's election system?

19 MR. RUSSO: Object to the form. She just
20 testified that she hasn't seen his report.

21 THE WITNESS: I don't know what the
22 vulnerabilities may be, so yeah.

23 BY MS. ELSON:

24 Q. Are you aware that the state has admitted
25 that it hasn't taken any measures to address the

1 failings that Dr. Halderman identified?

2 MR. RUSSO: Objection to form.

3 THE WITNESS: I don't know what the
4 failings are that Dr. Halderman has identified.

5 BY MS. ELSON:

6 Q. Does the knowledge that a computer expert
7 has identified failings in Georgia's voting
8 equipment affect your confidence in Georgia's
9 current system?

10 A. Again, going back to how we started, I'm
11 not aware of any computer-based system that does not
12 have vulnerabilities.

13 Q. So your answer would be that the findings
14 of Dr. Halderman that the currently used equipment
15 can be hacked in a variety of ways doesn't affect
16 your confidence in that equipment?

17 MR. RUSSO: Objection to form.

18 She doesn't know what the findings are or
19 the opinion, I should say.

20 THE WITNESS: Without understanding the --
21 the -- the -- the findings, I -- it -- it can't
22 affect my confidence in the system.

23 BY MS. ELSON:

24 Q. Has the State Election Board ever had a
25 cybersecurity expert examine the BMD election

1 system?

2 MR. RUSSO: Objection to form.

3 Are you asking about since she's been on
4 the State Election Board?

5 MS. ELSON: Given that the meetings are
6 public, I think she can answer either way, to
7 her understanding.

8 THE WITNESS: My understanding is that the
9 Secretary of State has had the system examined
10 on numerous occasions, but that's not the
11 State Election Board. Those are different
12 entities.

13 BY MS. ELSON::

14 Q. Has the State Election Board ever had a
15 cybersecurity expert examine the system?

16 A. That is not the role of the
17 State Election Board.

18 Q. Do you know whether any of the computer
19 equipment used in Georgia's election system is able
20 to be connected to the Internet?

21 MR. RUSSO: Objection to form. It's
22 ambiguous.

23 THE WITNESS: The only equipment that I am
24 aware of -- I -- I -- I don't know. I don't
25 know. Aside from the check-in computers during

1 early vote, by definition they have to be
2 connected to the Internet.

3 BY MS. ELSON:

4 Q. And do those check-in computers to your
5 understanding encode the voter access cards or is
6 that a different system?

7 A. I don't know.

8 Q. Would it concern you if any of the
9 computer equipment besides the early vote check-in
10 system is able to be connected to the Internet?

11 MR. RUSSO: Objection to form.

12 THE WITNESS: I'm not a cybersecurity
13 specialist, so I can't make an assessment.

14 BY MS. ELSON:

15 Q. Was any part of Georgia's previous DRE
16 system transferred to the BMD system?

17 A. I have no knowledge of that.

18 Q. Do you want to know?

19 A. As a member of the State Election Board,
20 the only reason for me to know that is if it would
21 help inform the -- the writing of our regulations or
22 ascertain whether or not somebody else has -- has
23 violated it. I don't -- I don't see it as being
24 necessarily relevant.

25 Q. Would you see any issue in reusing memory

1 cards or other components from the DRE system in the
2 current BMD system?

3 MR. RUSSO: Objection to form. If there's
4 any issue.

5 THE WITNESS: I don't even -- I don't know
6 whether that is done or whether it's relevant.

7 BY MS. ELSON:

8 Q. If you were to know that memory cards or
9 other components from the old system had been
10 recycled for reuse in the current system, would that
11 concern you?

12 A. Other components, I don't know what that
13 would -- I don't know what that means. I am aware
14 that memory cards can be reformatted for use. And,
15 again, I'm not a cybersecurity specialist to
16 understand the implications of it.

17 Q. Okay. I'm going to introduce another --
18 I'm going to introduce two documents. Bear with me
19 for one moment. All right. I appreciate your
20 patience.

21 Do you see two new exhibits available to
22 you on Exhibit Share?

23 A. I see one. Let me re- -- oh, there -- the
24 second one is there, yes.

25 Q. Okay.

1 (Plaintiffs' Exhibit 2 was marked for
2 identification.)

3 BY MS. ELSON:

4 Q. If you could please open Exhibit No. 2.

5 A. Uh-huh.

6 Q. So I'll represent to you that this was --
7 this is an email that was produced by your counsel
8 this morning after this deposition began.

9 And to confirm, is this the email that you
10 mentioned earlier you had found and reviewed?

11 A. Yes.

12 Q. How did this email come to your attention
13 to be produced for today's deposition?

14 A. I was rereviewing to make sure I hadn't
15 missed anything, and I -- I found it in the -- I
16 came across it in my inbox.

17 Q. Okay. If you can -- actually, so this is
18 an email from you to [REDACTED] dated
19 September 14, 2021.

20 A. That is incorrect. It is an email from
21 [REDACTED] to me.

22 Q. Thank you. I apologize.

23 And this email contains an attachment?

24 A. That is correct.

25 Q. Who is [REDACTED]?

1 A. [REDACTED]

2 [REDACTED]

3 [REDACTED].

4 Q. And what is the function of that
5 institute, to your understanding?

6 A. [REDACTED].

7 [REDACTED]

8 [REDACTED]

9 [REDACTED].

10 Q. And what has been -- strike that.

11 What is your understanding of why

12 [REDACTED] is emailing you?

13 A. I asked his advice.

14 Q. And what did you ask his advice on?

15 A. I asked his advice on a rule that we
16 were -- we were reviewing at one point because --
17 because of the -- under SB202, digital artifacts of
18 ballots are now available as -- as open records,
19 as -- as public records. But other parts of that
20 rule concerned use of memory devices and storage
21 and -- and how they -- how they were to be used.

22 Q. And why did you ask his advice?

23 A. Because I'm not a cybersecurity expert and
24 he knows a great deal more than I do.

25 Q. Okay. What is your understanding of what

1 [REDACTED] meant by "keep it discrete"?

2 A. [REDACTED]

3 [REDACTED] [REDACTED]

4 [REDACTED]

5 [REDACTED] [REDACTED]

6 [REDACTED].

7 Q. Okay. And if you can turn now to
8 Exhibit No. 3.

9 (Plaintiffs' Exhibit 3 was marked for
10 identification.)

11 BY MS. ELSON:

12 Q. And just let me know when you have that
13 pulled up.

14 A. Yes, I have it pulled up.

15 Q. Is this the attachment from the email you
16 and I just discussed?

17 A. It is.

18 Q. And what is this attachment?

19 A. This is [REDACTED]' draft revisions to the
20 rule that currently exists.

21 Q. And is this particular attachment, when it
22 was sent, was it a draft rule?

23 A. This was not the portion of the rule that
24 was being changed. I reached out to him because I
25 thought that the rule could use further clarity.

1 Q. And, again, the portion of that rule you
2 thought could use further clarity was about
3 removable media or memory cards, you -- you said?

4 A. Yes. I may also be using the word loosely
5 because I am -- because this is -- this is beyond
6 the scope of my expertise which is why I reached out
7 to him.

8 Q. What is this rule about?

9 A. This rule is about what data needs to be
10 secured, what -- and -- and how the -- the memory
11 cards should be -- should be utilized.

12 Q. And some of these redlines seem to be from

13

14 Why is that?

15 A. Because I asked for his advice. That's
16 precisely why I reached out to him.

17 Q. And some appear to be from [REDACTED].

18 Who is [REDACTED]?

19

A. [REDACTED]

20

21

22

23

24

25

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 Q. What did you understand to be the reasons
6 for the redlines that he made here?

7 A. [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 Q. You mentioned a bit about this, but I want
11 to make sure I understand.

12 Does this draft we're looking at currently
13 exist as a rule that's in effect with these edits
14 that [REDACTED] suggested?

15 A. No, it does not, and I had -- I had not
16 shared this further after I received it from
17 [REDACTED].

18 Q. And was that because the rule had been
19 tabled by that point?

20 A. That's -- that's correct. The part of the
21 rule that dealt with making accessible the -- the
22 electronic images was -- was forwarded, but my
23 understanding was that the Secretary of State's
24 office was going to do further research on best
25 practices before moving forward with making further

1 changes to the rule.

2 Q. Okay. Have you heard updates from the
3 Secretary of State's office regarding that research?

4 A. I have not.

5 Q. Have you reached out to -- let me ask
6 something before that.

7 You mentioned that [REDACTED] expertise
8 is cybersecurity; correct?

9 A. That is my understanding. Cybersecurity
10 specifically in the arena of election systems.

11 Q. Okay. Have you reached out to other
12 individuals for input on issues within their
13 expertise, as a State Election Board member?

14 A. I informally reached out to Kevin Rayburn
15 just to -- Kevin Rayburn is the former deputy
16 general counsel on the State Election Board and is
17 currently employed by the EAC.

18 Q. And what did you reach out to him
19 regarding?

20 MR. RUSSO: And I'm going to -- and I
21 don't know the time frame yet. But I'm going
22 to object to the extent it's asking for
23 privileged information from -- from Mr. Rayburn
24 while he was with the Secretary of State's
25 office.

1 I -- I missed if you said if you reached
2 out to him after he'd left or not.

3 THE WITNESS: It was after he left, and I
4 simply asked what the VVSG guidelines were with
5 regard to removable media memory storage.

6 BY MS. ELSON:

7 Q. And what does VVSG stand for?

8 A. Voluntary voter -- voting -- voting system
9 guidelines.

10 Q. Have you reached out to other individuals
11 regarding cybersecurity, as an SEB member?

12 A. I have not.

13 Q. And have you reached out to [REDACTED] at
14 other times?

15 A. Not within the context of my SEB
16 membership.

17 Q. Do you anticipate that the Secretary of
18 State's office will be providing the SEB an update
19 about this topic?

20 A. The topic of removable memory cards?

21 Q. Yes.

22 A. Yes. I anticipate that there will be
23 further rulemaking on this after they have finished
24 consulting whoever they're consulting, I don't know
25 who it is, regarding best practices.

1 Q. And what do you mean when you say "best
2 practices"?

3 A. I mean industry standards within both
4 cybersecurity and elections technology.

5 Q. Okay. Are you familiar with a company
6 called Fortalice?

7 A. I have heard of Fortalice, yes.

8 Q. Do you know what that company does?

9 A. I believe they conduct -- they work -- not
10 specifically.

11 Q. That's okay.

12 A. I don't want to -- I don't want to
13 misspeak, so.

14 Q. Are you aware that the Secretary of
15 State's office hired Fortalice to conduct
16 assessments of its IT systems and its security
17 vulnerabilities?

18 A. Yes, I am aware that that has happened.

19 Q. Have you read the resulting reports for
20 those assessments?

21 A. I have not.

22 Q. Are you aware that those reports found
23 serious security flaws with the Secretary of State's
24 IT systems?

25 MR. RUSSO: Objection to form. She hasn't

1 read the report.

2 COURT REPORTER: I'm sorry. Repeat the
3 last part of your objection.

4 MR. RUSSO: I said she just testified that
5 she had not read the reports.

6 MS. ELSON: And I think you can just keep
7 them to objection to form.

8 THE WITNESS: I -- I don't know what the
9 findings were.

10 BY MS. ELSON:

11 Q. Are you aware of anything that the
12 Secretary of State's office has done to remedy
13 defects found in its IT systems?

14 MR. RUSSO: Objection to form.

15 THE WITNESS: I am not aware.

16 BY MS. ELSON:

17 Q. Okay. Has the State Election Board done
18 anything to remedy the defects found in the
19 Secretary of State's IT systems?

20 MR. RUSSO: Objection to form.

21 THE WITNESS: I am not aware of anything.

22 BY MS. ELSON:

23 Q. Okay. As a State Election Board member,
24 is ballot secrecy important to you?

25 A. Ballot secrecy is guaranteed under the

1 Georgia Constitution.

2 Q. And would it be safe to say that it is
3 important to you that that constitution is upheld
4 and abided by?

5 A. Certainly.

6 Q. Do you publicly announce who you vote for
7 after an election?

8 A. It depends. Sometimes, yes, I do.

9 Q. During your time working for the
10 Democratic Party of Georgia, did you speak with
11 voters about concerns regarding ballot secrecy?

12 A. Yes.

13 Q. Did any of those voters have concerns
14 being in a small minority in Republican Counties
15 regarding their ballot secrecy?

16 A. Those concerns were related to -- more to
17 primary ballots and having to request specifically a
18 Democratic versus a Republican primary ballot.

19 Q. Would it concern you if someone could see
20 who you were voting for while you were voting?

21 A. Yes.

22 Q. Have you heard any complaints from voters
23 about the BMD screens being too large?

24 A. I have.

25 Q. And what were those complaints?

1 A. That the screens are large enough that
2 people could -- could see their selections depending
3 on the way the voter is standing and the way the --
4 the voting location was set up.

5 Q. Do those complaints concern you?

6 A. Anytime a voter doesn't feel confident in
7 the system, it concerns me. So, yes.

8 Q. Sorry. I didn't mean to cut you off.

9 A. It's all right.

10 Q. Have you discussed ballot secrecy with any
11 State Election Board members?

12 A. No, not since I've been on the -- on the
13 board.

14 Q. Have you heard complaints from counties
15 that they are unable to guarantee ballot secrecy
16 using the BMDs?

17 A. I am not aware of specific complaints from
18 counties since I have been on the board.

19 Q. And how about since -- when -- before you
20 joined the board?

21 MR. RUSSO: Objection to form.

22 THE WITNESS: I don't recall. What I -- I
23 will clarify that to a certain extent. Part of
24 it was simply -- there were complaints about
25 the physical space required to ensure that the

1 machines were separated adequately.

2 BY MS. ELSON:

3 Q. And when were those complaints you're
4 referring to brought up? At State Election Board
5 meetings?

6 A. I don't recall specifically when they were
7 brought up.

8 Q. Okay. I'm going to introduce a document
9 now, and let me just stamp it and then I will
10 publish it.

11 (Plaintiffs' Exhibit 4 was marked for
12 identification.)

13 BY MS. ELSON:

14 Q. All right. That should be published. So
15 just let me know when you're able to access it.

16 A. I see it.

17 Q. Okay. And is this another tweet by you?

18 A. It is.

19 Q. Okay. And this tweet mentions a petition
20 with a proposed rule that would allow hand-marked
21 ballots in the event that precinct conditions
22 prevent ballot secrecy?

23 A. Yes.

24 Q. Do you remember this petition and proposed
25 rule?

1 A. If I remembered it, I would have mentioned
2 it.

3 Q. I stated my question incorrectly.

4 Does this refresh your memory about the
5 petition and proposed rule?

6 A. Yes.

7 Q. And do you recall hearing about the
8 situation in Sumter County regarding ballot secrecy?

9 A. In general, yes. I was at that
10 State Election Board meeting.

11 Q. And can you describe -- you started to
12 describe a bit the county's concern with the space
13 required from BMDs.

14 Can you describe what counties have done
15 to handle that concern?

16 MR. RUSSO: Objection to form.

17 THE WITNESS: Counties have certainly
18 changed the layout within -- within precincts
19 to ensure that -- or to -- to try to ameliorate
20 the problem of voters overseeing somebody
21 else's screen.

22 Some counties have also expended funds to
23 purchase privacy screens so -- to make it more
24 difficult.

25

1 BY MS. ELSON:

2 Q. And to your understanding, are those
3 privacy screens acceptable for use according to
4 Georgia's other election rules?

5 MR. RUSSO: Objection to form.

6 THE WITNESS: I have no knowledge of how
7 those screens may interact with any other
8 rules.

9 BY MS. ELSON:

10 Q. Okay. Is it your understanding that all
11 counties have been successful in providing adequate
12 ballot secrecy in the precincts that use BMDs?

13 A. Georgia has 159 counties and some of them
14 are exceedingly small. I am not aware. I simply
15 don't know.

16 Q. Would it concern you if certain counties
17 simply didn't have enough space to use the BMDs in a
18 way that ensures ballot secrecy for every voter?

19 A. It would concern me that there is
20 additional stress and pressure put on counties. I
21 would be very surprised if there were -- if it were
22 simply not possible, though.

23 Q. So to your understanding, counties are
24 able to find space for their BMD machines such that
25 all voters have ballot secrecy?

1 A. I don't have information either way.

2 Q. All right. I just have a few more topics
3 to cover.

4 Do you know how poll workers are trained
5 in Georgia?

6 A. We have 159 counties. I suspect that
7 there are 159 ways of training poll workers. There
8 is a -- certainly a video training that is provided
9 by the Secretary of State's office. Many counties
10 provide additional training on top of that.

11 Q. Is the State Election Board involved in
12 deciding how poll workers are trained?

13 A. I am not aware that the
14 State Election Board is involved in poll worker
15 training.

16 Q. Do you believe that poll workers should be
17 trained rigorously?

18 A. Yes.

19 Q. Are poll workers trained to operate BMDs?

20 MR. RUSSO: Objection to form.

21 THE WITNESS: I have not undergone poll
22 worker training.

23 BY MS. ELSON:

24 Q. So you don't know whether poll workers are
25 trained to operate BMDs?

1 A. I do not.

2 Q. Okay. Have you ever received complaints
3 from voters that their poll worker was unable to
4 help them because the poll worker didn't know what
5 to do with the machines?

6 MR. RUSSO: Objection to form.

7 Poll worker training is not an issue in
8 the case.

9 THE WITNESS: You have to understand that
10 when the BMDs were implemented, I was a
11 candidate. So I am not aware of what voter
12 complaints may have been after the
13 implementation of the BMDs.

14 BY MS. ELSON:

15 Q. Did you speak to voters during your
16 candidacy?

17 A. I did.

18 Q. Did you receive any complaints about
19 machine problems from those voters?

20 MR. RUSSO: Objection to form.

21 Complaints she received as a candidate,
22 again, that -- that's not relevant to the case.

23 MS. ELSON: Again, you can just state the
24 objection.

25 THE WITNESS: So there -- the complaints I

1 received were more about the -- the machines
2 not being set up, machines not being
3 accessible. So machines not working, I don't
4 recall specifically anything with that.

5 BY MS. ELSON:

6 Q. Okay. When you mentioned complaints about
7 machines being inaccessible, what do you mean by
8 that?

9 A. Well --

10 MR. RUSSO: Objection to form again.

11 THE WITNESS: -- they weren't delivered in
12 time, for instance, in Gwinnett County. So
13 they literally weren't physically present when
14 polls opened in June of 2020.

15 BY MS. ELSON:

16 Q. Did you hear about that situation
17 happening in other counties?

18 A. Cobb County had late deliveries. I think
19 there were other counties. I just don't recall the
20 specifics of it.

21 Q. Do you know who was responsible for
22 delivering BMDs to the counties?

23 A. The State is responsible for delivering
24 BMDs to the counties, but the -- the problem was
25 that it was the -- the counties that did not get

1 them to the precinct in time.

2 Q. I see. And you also mentioned you had
3 heard complaints about machines not being set up.

4 Can you describe those?

5 A. It's -- it's basically the same thing,
6 that they weren't -- they -- they didn't arrive in
7 time or they weren't -- they weren't plugged in and
8 ready to go when polls opened. But I think that was
9 very broadly covered in the media. The -- the
10 June 2020 primary was deeply problematic.

11 Q. And in your experience, what happens to
12 machines that don't appear to be working?

13 A. They should be taken off-line.

14 Q. And by off-line do you mean unplugged?

15 A. Whether they're plugged or unplugged
16 doesn't matter so much as they should not be -- they
17 shouldn't be made available to voters to attempt to
18 use.

19 Q. Is it important to you as a
20 State Election Board member that every county in
21 Georgia has sufficient election equipment for all
22 voters who want to to cast a ballot?

23 A. Yes, that is very important.

24 Q. And aside from the complaint about
25 counties not receiving equipment in time, have you

1 heard voters complain about counties not having
2 enough equipment?

3 MR. RUSSO: Objection to form.

4 THE WITNESS: I have not heard any
5 complaints about counties not having enough
6 BMDs or scanners.

7 BY MS. ELSON:

8 Q. Have you heard voters complain about
9 counties not having enough of other equipment?

10 A. Check-in can sometimes be a problem.

11 Q. And what equipment is used during
12 check-in?

13 A. It depends on if it's election day or
14 early voting. Election day equipment, that's --
15 those are poll pads.

16 MR. RUSSO: And I'm going to just object
17 to continuing to go down this path. I've --
18 I've let you go down it now, but none of this
19 is related to the complaints in the case or the
20 issues here. And most of these questions
21 are -- are related to her time prior to being
22 on the State Election Board.

23 MS. ELSON: It's my understanding that
24 she's here as a 30(b)(1) witness.

25 Is that incorrect?

1 MR. RUSSO: She' -- she's here as a member
2 of the State Election Board. That's who she's
3 named in the case as. She's named in her
4 capacity as a State Election Board member.

5 MS. ELSON: Okay. Well, we can certainly
6 take it up with the judge whether certain
7 topics are relevant.

8 Do you want to instruct her not to
9 answer --

10 MR. RUSSO: Sure.

11 MS. ELSON: -- those questions today?

12 MR. RUSSO: You can go on, but just --
13 just know that we object to the relevance of
14 this and we'll take it up with the judge as
15 needed.

16 MS. ELSON: Okay. Understood.

17 MR. RUSSO: Let's keep moving.

18 BY MS. ELSON:

19 Q. Besides the issues that we've already
20 discussed today, have you heard voters complain
21 about other aspects of the BMD and QR system?

22 A. I mean, that's incredibly broad. So I've
23 of course heard voters object to lots of things.
24 I'm not sure quite what you're asking.

25 Q. I'm asking specifically about aspects of

1 the BMD machines or the QR system that's used to
2 tabulate votes.

3 A. There are lots of objections from voters
4 who don't understand the system and don't understand
5 the -- the -- what -- what's a genuine risk and what
6 is -- I'm just -- I'm not quite sure where you're --
7 what you would -- are asking in this. I mean,
8 voters have complained a lot because there's a lot
9 of disinformation out there and they don't
10 understand.

11 Q. To your understanding, is the Secretary of
12 State's office or State Election Board undertaking
13 any efforts to increase voter's understanding about
14 how the BMD system works?

15 A. I don't --

16 MR. RUSSO: Objection to the extent --
17 objection to the extent that's going to call
18 for something that is either protected by
19 attorney-client or work product. There are
20 obviously multiple lawsuits going on that are
21 separate from this one that may be relevant.

22 Otherwise, Sara, feel free to go ahead.

23 THE WITNESS: I'm not aware of anything at
24 the moment, no.

25

1 (Plaintiffs' Exhibit 5 was marked for
2 identification.)

3 BY MS. ELSON:

4 Q. Okay. All right. I am just introducing
5 one last exhibit. So let me know if you refresh
6 that whether or not you can access that exhibit.

7 A. Yes.

8 Q. Okay. And is this a tweet that you wrote?

9 A. It is.

10 Q. Can you read that tweet, the first one?

11 A. "Many of the students came prepared to
12 protest the use of BMD and QR codes."

13 Q. Does this -- now that you've read this
14 tweet, do you recall this protest?

15 A. I do.

16 Q. Do you recall what the students were
17 protesting, more specifically than the use of BMDs
18 and QR codes?

19 A. The -- it's -- I don't think it's anything
20 more than the use of QR codes that they were
21 protesting.

22 Q. And what about the QR codes were they
23 protesting?

24 A. Their inability to read the QR codes.

25 Q. Did it concern you to hear these students

1 protest?

2 A. It highlighted to me the need for better
3 voter education.

4 Q. And can you read the second tweet on this
5 page?

6 A. "Apparently we will have new rules on
7 defining the official ballot."

8 Q. And to your understanding, did the
9 State Election Board promulgate those rules?

10 A. I believe so.

11 Q. Would it be your preference that the human
12 readable portion of the ballot is defined as the
13 official ballot rather than the QR code?

14 A. Yes.

15 Q. And why is that?

16 A. That the human readable portion is the
17 portion that voters verify and can be clearly
18 defined as reflecting the voter's choice by the
19 voter.

20 Q. And why do you think that's important?

21 A. It's important that voters have confidence
22 in -- in the system and that their vote is being
23 counted.

24 Q. And it's your belief that if -- if the
25 human readable portion of that ballot were defined

1 as the official vote, that would give con- -- voters
2 more confidence that their vote was being counted?

3 A. Yes.

4 Q. All right. I just have a couple of
5 follow-up questions and then I think I'm all set.

6 We discussed the SAFE Commission earlier
7 today.

8 Have you ever testified before the
9 SAFE Commission?

10 MR. RUSSO: Objection to form.

11 THE WITNESS: Yes. Prior to my time as a
12 member of the State Election Board, I did
13 testify before that.

14 BY MS. ELSON:

15 Q. Okay. And what did you testify about?

16 A. I testified to the importance of voter
17 confidence in the system.

18 Q. Did any of your testimony involve the BMD
19 machines?

20 A. I honestly don't recall because that was
21 several years ago.

22 Q. Understood.

23 Has the Secretary of State's office or the
24 State Election Board initiated any rulemaking to
25 address the complaints regarding the insufficiency

1 of equipment that counties experienced during
2 previous elections?

3 MR. RUSSO: Objection to form and also to
4 the extent it's calling to -- seeking to
5 produce any attorney-client communications,
6 working product. I object to that, too.

7 THE WITNESS: I am not aware of any.

8 BY MS. ELSON:

9 Q. Do you plan to initiate any proposals with
10 the State Election Board for the general assembly to
11 address the equipment issues that counties faced?

12 A. I need a better understanding of what
13 actual issues the counties faced before I can make
14 any proposals.

15 Q. And why haven't you sought that
16 information?

17 A. I have not heard specific reports that
18 there are -- there were equipment lacks. I would
19 need a specific report from a county before
20 understanding those -- that is a serious problem
21 that would need to be addressed.

22 Q. And so the complaints you heard from
23 voters weren't connected with or followed up by any
24 reports from counties?

25 A. Complaints from voters generally are

1 dealing -- were -- in -- in 2020 the problems were
2 during early vote, and that's a very different thing
3 from election day and it is dealt with differently
4 in the law.

5 So my understanding is the counties have a
6 tremendous amount of leeway to conduct early vote
7 the way they want because that's the -- those are
8 the policy choices that our laws have allowed. And
9 that's where the problems have been.

10 Q. Has the State Election Board initiated any
11 proposals for the general assembly -- excuse me, for
12 the general assembly to improve ballot secrecy?

13 A. I am not aware of any.

14 Q. Do you plan on initiating any proposals
15 with the State Election Board for the general
16 assembly to improve ballot secrecy?

17 MR. RUSSO: Objection to form.

18 THE WITNESS: At this time I do not have
19 any concrete plans.

20 MS. ELSON: Okay. Well, I think those are
21 all the questions I have for you.

22 Does your counsel have any questions for
23 you?

24 MR. RUSSO: Let's go on a quick
25 five-minute break, if possible, and if we

1 have -- if I have any, I will -- I expect it
2 will be quick, but let me just go over my notes
3 real quick.

4 MS. ELSON: Sure. That's fine.

5 VIDEOGRAPHER: Off the record at 12:25.

6 (Off the record.)

7 VIDEOGRAPHER: Back on the record. The
8 time is 12:31.

9 MR. RUSSO: Thank you. We -- we don't
10 have any additional questions for Ms. Ghazal.
11 We do, of course, reserve the right to -- for
12 her to review and sign. So I don't think we
13 addressed that at the beginning.

14 VIDEOGRAPHER: All right. If nothing
15 further, then we will conclude the deposition.
16 The time is 12:32 and we are off the record.

17 (Deposition concluded at 12:32 p.m.)

18 (Pursuant to Rule 30(e) of the Federal
19 Rules of Civil Procedure and/or O.C.G.A.
20 9-11-30(e), signature of the witness has been
21 reserved.)

22

23

24

25

C E R T I F I C A T E

STATE OF GEORGIA:

COUNTY OF FULTON:

I hereby certify that the foregoing transcript was taken down, as stated in the caption, and the questions and answers thereto were reduced to typewriting under my direction; that the foregoing pages represent a true, complete, and correct transcript of the evidence given upon said hearing, and I further certify that I am not of kin or counsel to the parties in the case; am not in the regular employ of counsel for any of said parties; nor am I in anywise interested in the result of said case.



LEE ANN BARNES, CCR B-1852, RPR, CRR, CRC

1 COURT REPORTER DISCLOSURE

2
3 Pursuant to Article 10.B. of the Rules and
4 Regulations of the Board of Court Reporting of the
5 Judicial Council of Georgia which states: "Each
6 court reporter shall tender a disclosure form at the
7 time of the taking of the deposition stating the
8 arrangements made for the reporting services of the
9 certified court reporter, by the certified court
10 reporter, the court reporter's employer, or the
11 referral source for the deposition, with any party
12 to the litigation, counsel to the parties or other
13 entity. Such form shall be attached to the
14 deposition transcript," I make the following
15 disclosure:

16 I am a Georgia Certified Court Reporter. I am here
17 as a representative of Veritext Legal Solutions.
18 Veritext Legal Solutions was contacted to provide
19 court reporting services for the deposition.
20 Veritext Legal Solutions will not be taking this
21 deposition under any contract that is prohibited by
22 O.C.G.A. 9-11-28 (c).

23 Veritext Legal Solutions has no contract/agreement
24 to provide reporting services with any party to the
25 case, any counsel in the case, or any reporter or
reporting agency from whom a referral might have
been made to cover this deposition. Veritext Legal
Solutions will charge its usual and customary rates
to all parties in the case, and a financial discount
will not be given to any party to this litigation.

26 <%12034,Signature%>

27 LEE ANN BARNES, CCR B-1852B, RPR, CRR, CRC

1 Vincent R. Russo, Esquire

2 vrusso@robbinsfirm.com

3 November 19, 2021

4 RE: Curling, Donna v. Raffensperger, Brad

5 11/5/2021, Sarah Tindall Ghazal (#4880381)

6 The above-referenced transcript is available for
7 review.

8 Within the applicable timeframe, the witness should
9 read the testimony to verify its accuracy. If there are
10 any changes, the witness should note those with the
11 reason, on the attached Errata Sheet.

12 The witness should sign the Acknowledgment of
13 Deponent and Errata and return to the deposing attorney.
14 Copies should be sent to all counsel, and to Veritext at
15 erratas-cs@veritext.com

16

17 Return completed errata within 30 days from
18 receipt of transcript.

19 If the witness fails to do so within the time
20 allotted, the transcript may be used as if signed.

21

22 Yours,

23 Veritext Legal Solutions

24

25

1 Curling, Donna v. Raffensperger, Brad

2 Sarah Tindall Ghazal (#4880381)

3 E R R A T A S H E E T

4 PAGE _____ LINE _____ CHANGE _____

5 _____

6 REASON _____

7 PAGE _____ LINE _____ CHANGE _____

8 _____

9 REASON _____

10 PAGE _____ LINE _____ CHANGE _____

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12 REASON _____

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15 REASON _____

16 PAGE _____ LINE _____ CHANGE _____

17 _____

18 REASON _____

19 PAGE _____ LINE _____ CHANGE _____

20 _____

21 REASON _____

22 _____

23 _____

24 Sarah Tindall Ghazal Date

25 _____

1 Curling, Donna v. Raffensperger, Brad
2 Sarah Tindall Ghazal (#4880381)

3 ACKNOWLEDGEMENT OF DEPONENT

4 I, Sarah Tindall Ghazal, do hereby declare that I
5 have read the foregoing transcript, I have made any
6 corrections, additions, or changes I deemed necessary as
7 noted above to be appended hereto, and that the same is
8 a true, correct and complete transcript of the testimony
9 given by me.

10

11

12 _____
Sarah Tindall Ghazal Date

13 *If notary is required

14

SUBSCRIBED AND SWORN TO BEFORE ME THIS

15

_____ DAY OF _____, 20____.

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NOTARY PUBLIC

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